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Patent
Serial No. 10/633,846

TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By 
(Signature) Gregory L. Thorne

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket: 10016

JAHANGIR S. RASTEGAR ET AL.

Confirmation No.: 5665

Serial No.: 10/633,846

Examiner: TED M. WANG

Filed: AUGUST 4, 2003

Group Art Unit: 2611

Title: LOW-DETECTABILITY COMMUNICATION BETWEEN A TRANSMITTER
AND RECEIVER

Mail Stop 16
Director of the USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

10/26/2010 2:10 PM
F: 2:10 CRequest for Refund for Excessive Payment of Request for Continued Examination Fee

Sir:

Please consider the remarks that follow:

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Patent
Serial No. 10/633,846Remarks

Applicant submits that at the time of payment of the filing fees, the Applicant neglected to indicate that the Assignee of the patent application, namely Omnitek Partners Llc of 111 West Main Street, Suite 112, Applied Technology Center, Bayshore, New York 11706, of the U.S., was and continues to be a small entity as defined under 37 CFR §1.27.

Small entity status of the Applicant's Assignee is herein claimed and is previously claimed.

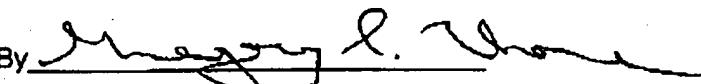
It is respectfully submitted that the full Request for Continued Examination (RCE) Fee, without reduction was mistakenly paid (copy of filing receipt included herewith). However, Applicant's Assignee was entitled to a fifty percent reduction in the RCE fee paid (\$810.00), namely, a reduction of \$405.00. As the filing fee was paid by Applicant's Representative credit card, a refund of the excessive filing fee is requested to be made back to the credit card as specified by 37 CFR §1.26(a).

Applicant has made a diligent and sincere effort to set out the circumstances of this overpayment. Favorable consideration of this refund request is earnestly solicited.

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Should a request for further information or clarification of the above facts be required, it is requested that the Applicant's Representative be contacted at the number provided below.

Respectfully submitted,

By 

Gregory L. Thorne, Reg. 39,398
Attorney for Applicant(s)
October 26, 2010

Enclosure: Copy of Filing Receipt for RCE submission

THORNE & HALAJIAN, LLP

111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101

| Electronic Acknowledgement Receipt | |
|--------------------------------------|--|
| EPS ID: | 8699379 |
| Application Number: | 10633846 |
| International Application Number: | |
| Confirmation Number: | 5665 |
| Title of Invention: | Low-detectability communication between a transmitter and receiver |
| First Named Inventor/Applicant Name: | Jahangir S. Rastegar |
| Customer Number: | 79998 |
| Filer: | Gregory L. Thorne |
| Filer Authorized By: | |
| Attorney Docket Number: | 10016 |
| Receipt Date: | 25-OCT-2010 |
| Filing Date: | 04-AUG-2003 |
| Time Stamp: | 22:54:31 |
| Application Type: | Utility under 35 USC 111(a) |

Payment information:

| Submitted with Payment | yes | | | | |
|--|----------------------|-----------|---------------------------------|-----------------|------------------|
| Payment Type | Credit Card | | | | |
| Payment was successfully received in RAM | \$810 | | | | |
| RAM confirmation Number | 10054 | | | | |
| Deposit Account | | | | | |
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|---|---|-------------------------------|--|----|---|
| 1 | Request for Continued Examination (RCE) | SP10016-RCE-form-10-25-10.pdf | 797975 02/09/2013 10:25:23 136.144.100.100 0.0.0.0 02/09 | no | 3 |
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Multipart Description/PDF files in .zip description

| Document Description | Start | End |
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| Amendment Submitted/Entered with Filing of CPA/RCE | 1 | 1 |
| Claims | 2 | 7 |
| Applicant Arguments/Remarks Made in an Amendment | 8 | 10 |

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an International application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/E0/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/103) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Patent Application Fee Transmittal

| | | | | |
|---|-----------------|-----------------|---------------|-----------------------------|
| Application Number: 10633846 | | | | |
| Filing Date: 04-Aug-2003 | | | | |
| <small>Adjustment date: 11/03/2010 HDESTA1 10726/2010 INTEFSW 00010054 10633846 01 FC:1801 -810.00 0P</small> | | | | |
| Title of Invention: Low-detectability communication between a transmitter and receiver <small>11/03/2010 HDESTA1 00000028 10633846 01 FC:2801 405.00 0P</small> | | | | |
| <small>Refund Ref: 11/03/2010 0030090362</small> | | | | |
| <small>Credit Card Refund Total: \$405.00</small> | | | | |
| <small>Am Exp.: XXXXXXXXXX3000</small> | | | | |
| First Named Inventor/Applicant Name: Jahangir S. Rastegar | | | | |
| Filer: Gregory L. Thorne | | | | |
| Attorney Docket Number: 10016 | | | | |
| Filed as Large Entity | | | | |
| Utility under 35 USC 111(a) Filing Fees | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| Extension-of-Time: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-----------------------------------|----------|----------|--------|----------------------|
| Miscellaneous: | | | | |
| Request for continued examination | 1801 | 1 | 810 | 810 |
| Total in USD (\$) | | | | 810 |